For the reasons stated on the record on April 10, 2024, CONTI's Motion to Dismiss Second Amended Complaint (Doc. No. 305) is **DENIED** WITHOUT PREJUDICE.

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

Chief US District Judge

| IN RE: REALPAGE, INC., RENTAL |) | Case No. 3:23-md-3071 |
|-------------------------------|---|--------------------------|
| SOFTWARE ANTITRUST |) | MDL No. 3071 |
| LITIGATION (NO. II) |) | |
| |) | |
| |) | This Document Relates to |
| |) | 3:23-CV-00410 [VINCIN] |
| |) | |

CONTI'S MOTION TO DISMISS SECOND AMENDED COMPLAINT UNDER FRCP 12(B)(1) AS TO PLAINTIFF SELENA VINCIN

Pursuant to Federal Rule of Civil Procedure 12(b)(1), Defendant CONTI Texas Organization, Inc. d/b/a CONTI Capital moves to dismiss Plaintiff Selena Vincin's Second Amended Complaint, ECF 226.

DATED: April 9, 2024

Respectfully submitted,

/s/ Alexander M. Brauer

Alexander M. Brauer Texas State Bar No. 24038780 abrauer@baileybrauer.com Jason R. Marlin Texas State Bar No. 24050989 jmarlin@baileybrauer.com

BAILEY BRAUER PLLC

8350 N. Central Expressway, Ste. 650 Dallas, Texas 75206

Telephone: (214) 360-7433 Facsimile: (214) 360-7435

ATTORNEYS FOR DEFENDANT CONTI TEXAS ORGANIZATION, INC. d/b/a CONTI CAPITAL